

Plaintiff has, while incarcerated, filed at least three cases that were dismissed as frivolous, malicious, or for failure to state a claim upon which relief can be granted. See Ives v. Medical Center for Federal Prisoners, 6:13CV 3085 ODS (W.D. Mo.); Ives v. Sanders, 6:13CV3082 RED (W.D. Mo.); Ives v. Reidy, 6:11CV3234 ODS (W.D. Mo.). As a result, plaintiff may not proceed in forma pauperis unless he “is under imminent danger of serious physical injury.” 28 U.S.C. § 1915(g). The

amended complaint, however, does not contain any allegations showing that plaintiff is in imminent danger of physical injury. Only past harm is alleged.

The Court previously ordered plaintiff to submit a motion to proceed in forma pauperis if he wished to proceed with this action. That order is now moot. The Court will order plaintiff to submit the full \$350<sup>1</sup> filing fee within fourteen days of the date of this Order or face dismissal of this action.

Accordingly,

**IT IS HEREBY ORDERED** that plaintiff shall pay the \$350 filing fee within fourteen (14) days of the date of this Order.

**IT IS FURTHER ORDERED** that if plaintiff fails to timely pay the filing fee, this action will be dismissed without further proceedings.

**IT IS FURTHER ORDERED** that the Clerk shall update the docket sheet to indicate that plaintiff's name is Louis J. Ives.

Dated this 11th day of July, 2013.

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/s/ Nannette A. Baker  
NANNETTE A. BAKER  
UNITED STATES MAGISTRATE JUDGE

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<sup>1</sup>On May 1, 2013, the filing fee increased from \$350 to \$400. However, because plaintiff filed this action before the increase went into effect, the increase does not apply in this action.